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Committee on the Elimination of Discrimination against Women (CEDAW)

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION

Initial reports of States parties

JAPAN

V.87-83513

Part I

(1) On June 25, 1985, Japan deposited an instrument ratifying the Convention on the Elimination of All Forms of Discrimination against Women (hereinafter referred to as "the Convention") with Secretary-General Pérez de Cuellar of the United Nations, who was visiting Japan. This instrument was handed to him by the then Foreign Minister Shintaro Abe. In accordance with the provisions of the Convention, the Convention came into force for Japan thirty days thereafter, on July 25, 1985.

Article 18 of the Convention stipulates that States Parties shall submit to the Secretary-General of the United Nations a report on the measures, etc., adopted by them to implement the Convention. This is the first report submitted by Japan in accordance with the provisions of Article 18 of the Convention.

(2) Japan affirms the essential equality of men and women in its Constitution, which lays down the fundamental principles of what the state should be. Japan continues to make every effort to attain equality of men and women.

The principle of equality of men and women is also expressly stipulated in such major laws as the Civil Code and the Fundamental Law of Education. It is one of the

basic principles underlying the domestic laws of Japan, finding expression, for example, in Japan's system of universal suffrage, under which men and women enjoy the same right to vote and equal eligibility for election.

Japan had already ratified international conventions relating to the equality of men and women: the Convention on the Political Rights of Women in 1955, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights in 1979.

(3) For Japan, as for many other countries, the International Women's Year in 1975 and the ensuing United Nations Decade for Women constituted a great driving force in the area of promoting measures to make equality of men and women a reality. In 1977, "the National Plan of Action" setting forth the women's problems to be overcome and government policies relating to women for the next ten years was drawn up. In 1981, "the Priority Targets for the Second Half of the Period Covered by 'the National Plan of Action' for the Promotion of Measures relating to Women" were set, in the light of what had been achieved by the activities of the first half of the Decade for Women and the problems remaining to be solved. Measures for women have continued to be promoted energetically with a view to attaining the targets.

(4) Part of a global trend toward the attainment of the equality of men and women, the Convention was created as a step to provide an effective means of attaining this goal. Japan, recognizing the Convention's importance as a fundamental and comprehensive document embodying the principle of equality of men and women, which is now widely accepted in international society, and attaching great importance to the Convention because of the important role that it would be able to play, signed the Convention at an early stage. Thereafter, Japan made great efforts to prepare for ratification of the Convention as a priority task of the second half of the U.N. Decade for Women.

In Japan, while the basic framework of measures for the equality of men and women had already been established in many fields, the following three fields were identified as the principal areas requiring study before ratification of the Convention, and, the following measures were taken:

(a) Nationality: The Nationality Law had adopted the principle of patrilineal descent in determining nationality by right of birth and there were differences in requirements between men and women with regard to the naturalization of alien spouses of Japanese nationals. The Nationality Law was amended in 1984. Under the amended Law, a child acquires Japanese nationality if either its father or mother

is a Japanese citizen at the time of the child's birth. The amended Law also has the same naturalization requirements for both men and women.

(b) Education: The Courses of Study (notification issued by the Minister of Education) currently in force, that is, the programmes which lay down the standards for curricula, treat male and female pupils differently with regard to homemaking courses in lower and upper secondary schools. In December 1984, the Expert Meeting on Homemaking Education was established in the Ministry of Education to deliberate on this matter. On the basis of its conclusions, the Meeting drew up a plan calling for curricula amendment making homemaking courses available equally to male and female students. As a consequence, it is planned that, as required by the Convention, on completion of all the necessary steps, access to the same curricula for both boys and girls will be realized in the near future.

(c) Employment: The Labour Standards Law, enacted in 1947, prohibits discrimination against women in regard to wages, but there was no law which laid down general rules on equal opportunity in employment for men and women. In May 1985, the Equal Employment Opportunity Law was enacted, coming into force on April 1, 1986. At the same time, the provisions of

the Labour Standards Law, the Mariners Law and other laws protecting women workers were partially amended from the standpoint of ensuring equal opportunity and treatment for men and women.

(5) Japan, as a State Party to the Convention, will continue to review its domestic laws, etc., as the need arises in order to meet further the requirements of the Convention.

However, as is clearly stated in Article 5 of the Convention, for full and truly meaningful elimination of discrimination against women, not only institutional improvement but also the elimination of prejudices, customs and practices based on stereotyped concepts of the roles of men and women is important.

Because such prejudices and practices are deeply rooted in people's ways of thinking, efforts in many areas in a much longer-perspective than in the case of institutional improvement are necessary. In Japan, a variety of enlightenment and educational activities for the broadening of women's role in society, such as Women's Week, have been organized for many years. During the U.N. Decade for Women, in particular, there was considerable improvement regarding traditional stereotyped concepts of the roles of men and women. But such improvement is still insufficient in a number of respects. Consequently, further action, including various educational and

enlightenment activities, is needed in order to attain effective equality of men and women.

Another fact observed is that improvement of institutions can stimulate discussion and heighten awareness of the problem of stereotyped attitudes to the roles of men and women. The enactment of the Equal Employment Opportunity Law, an important task in preparing for ratifying the Convention, one having a profound effect on society, including the area of personnel management, resulted in active debate at many levels during the drafting of the bill, and through this process, people's understanding of the fundamental philosophy of the Convention was deepened. Their awareness of problems relating to male and female role concepts was also enhanced.

Following Japan's ratification of the Convention, the Government prepared explanatory materials on the Convention, distributing them throughout the country to further inform the Japanese people of the Convention's contents.

(6) Encouraging women to develop their latent ability is important in order to make equal opportunities to men and women a reality. In addition to the educational and enlightenment activities mentioned above, a variety of measures for this purpose have been adopted, including projects at the National Women's Education Centre,

promotion of social education[1] provided in Women's Classes and Parent Education Classes in municipalities and vocational training at public training centres.

(7) In Japan, the Women's Bureau of the Ministry of Labour and the Prefectural Women's and Young Workers' Offices of the same Ministry are responsible for matters relating to women. These administrative agencies carry out surveys and coordination relating to the women's problems, such as advancement of their status in society. In 1975, the International Women's Year, the Headquarters for the Planning and Promoting of Policies Relating to Women was established within the Prime Minister's Office. The purpose of the Headquarters, having the Prime Minister as its President and the Vice-Ministers of the related Ministries and Agencies as members, was to incorporate resolutions and decisions of the World Conference of the International Women's Year in national policies, maintaining coordination and promoting comprehensive measures for women. Since its establishment, the Headquarters has worked to reinforce measures for women.

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1) In Japanese terminology "social education" implies systematic activities of education (including physical education and recreation) primarily for out-of-school youths and adults, excluding such educational activities as are conducted in schools as part of curricular work in accordance with the School Education Law.

In January 1986, it was reorganized by, among other changes, expanding its membership to include the Vice-Ministers and equivalents of all Ministries and Agencies. The Office for Women's Affairs was established within the Prime Minister's Office to act as Secretariat for the Headquarters and to deal with women's affairs.

In addition to the Headquarters, the Advisory Council to the Prime Minister on Women's Affairs was created for the purpose of assisting the Government to plan and promote measures for women. This Council was composed of persons chosen and appointed by the Prime Minister. It was also reorganized in January 1986, becoming the Advisory Council to the President of the Headquarters for the Planning and Promoting of Policies Relating to Women.

In parallel with this action by the central government, all the prefectures and designated cities[2)] established sections charged with coordination for measures for women in and after the International Women's Year. These sections have been working to promote measures for women, for example, drawing up action programmes.

In the area of employment, the Women's Bureau and the Prefectural Women's and Young Workers' Offices of the

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2) Designated cities: cities, with a population of 500,000 or more, entrusted with functions by their respective prefectural governments, such as social welfare and urban planning which are not usually handled by cities.

Ministry of Labour, engage in educational and enlightenment activities, counselling and guidance for workers and employers and the general public to ensure equality of men and women. In addition, the Equal Employment Opportunity Law, which came into force in 1986, authorizes the Directors of these Offices to give advice and guidance and to make recommendations to employers for the purpose of ensuring observance of the provisions of the Law.

For the settlement of disputes relating to discrimination against women in employment, the Equal Opportunity Mediation Commissions were created. These Commissions provide assistance to women additional to the help provided by the Directors of the Women's and Young Workers' Offices. (In cases of dispute concerning wages, the Labour Standards Inspection Offices provide the necessary assistance.)

When attempts to arrive at a settlement of such disputes through these agencies are unsuccessful, the matter can be settled by the courts, as in the case of other civil matters.

(8) Where provisions of international conventions are non-self-executing, such provisions are put into effect domestically by means of legislative and administrative measures in Japan. As described above, Japan made efforts to complete the preparations necessary for ratification of the Convention, including enactment and amendment of domestic laws.

Part II

Article 2

Article 2 of the Convention enumerates in general terms the main policy means for achieving the purposes of the Convention.

Article 2

(a) - (c)

As noted earlier, the Constitution of Japan stipulates equality of all the people under the law. Article 14 of the Constitution provides that "All of the people are equal under the law and there shall be no discrimination in political, economic or social relations because of race, creed, sex, social status or family origin."

Thus, the supreme law of Japan expressly affirms the principle of equality of men and women that the Convention requires. All Japan's domestic laws are formulated in the light of this principle.

There are a number of laws containing provisions relating to equality of men and women. In the area of employment, Article 4 of the Labour Standards Law stipulates, regarding equal pay for men and women, that "The employer shall not discriminate against women concerning wages by reason of the workers being women." The same provision is also adopted in Article 6 of the Mariners Law, which is applicable to seamen.

To ensure observance of these laws, a total of 3,194 Labour Standards Inspectors are stationed at 47

Prefectural Labour Standards Offices, 346 Labour Standards Inspection Offices and 2 Branch Offices across the country and 138 Mariners' Labour Inspectors are stationed at 73 District Transport Bureaus, District Maritime Bureaus, etc., all over Japan. Workers can lodge a complaint with these offices or bureaus if they have not been paid equally for the same work.

The Equal Employment Opportunity Law, which came into force on April 1, 1986, provides that its purpose is to promote and to ensure equal opportunity and treatment in employment for men and women, based on the principle of the Constitution of Japan which guarantees equality under the law. The Law provides for equal opportunity and treatment of male and female workers as to recruitment, hiring, assignment, promotion, vocational training, fringe benefits, mandatory retirement and dismissal.

The Prefectural Women's and Young Workers' Offices, which are established in each prefecture in Japan, may give advice and guidance or make recommendations regarding disputes arising in connection with the Equal Employment Opportunity Law. In addition, an Equal Opportunity Mediation Commission was created in each of these Offices as a mediation body. For seamen, the Director-Generals of District Transport Bureaus or the Local Labour Relations Commissions for Seafarers are authorized to perform such functions of the Directors of the Offices or Commissions.

With regard to public employees, the National Public Service Law and the Local Public Service Law stipulate the principle of equal treatment. In the event of dispute, the case is to be dealt with by the National Personnel Authority, Personnel Committees, Equity Committees or other agencies.

Men and women have equal right of access to the courts. Article 32 of the Constitution provides that "No person shall be denied the right of access to the courts." The Code of Civil Procedure and the Code of Criminal Procedure are applied equally to men and women.

Article 2

(d)

As described above, Article 14 of the Constitution establishes the principle of equality of men and women. Article 99 of the Constitution provides to the effect that members of the Diet and all other public officials have the obligation to respect and uphold the Constitution.

In June 1977, the Headquarters for the Planning and Promoting of Policies Relating to Women drew up "the Outline for Promotion of Special Activities to Accelerate Women's Participation in Policy Decision-Making". In cooperation with public corporations, local governments, educational and research organizations, political parties, labour unions, employers' organizations and women's organizations, the Headquarters engaged in activities for attainment of the following goals during the UN Decade for Women:

1. Expansion of women's participation in administration

To expand women's participation in national administration, the following measures were to be promoted within the Government:

(1) Appointment of women as members of advisory councils, etc.

Women to be actively appointed to advisory councils, etc., of national and local government agencies, with the initial target of increasing the proportion of women members to about 10 percent within the overall government organization.

(2) Appointment of women as commissioners

Women to be actively appointed as commissioners, etc., and their public activities to be assisted.

(3) Employment and appointment of women as public employees and development of their ability.

(a) Employment and assignment of women as public employees, expansion of the range of activities and duties open to them and development of their ability by means of positive utilization of opportunities for training and study.

(b) Review of public service job categories with restrictions on women's participation in recruitment examinations.

(4) Promotion of women's participation in discussion groups, public hearings, etc.

(5) Active dispatch of well-qualified women to international conferences.

2. Requests to public agencies and organizations for their cooperation

Local governments and other public bodies to be requested to cooperate in the following.

(1) Active appointment of women to advisory councils, committees, etc.

(2) Employment and appointment of women as public employees and to public posts, expansion of the range of activities and duties open to them and active development of their ability.

(3) Promotion of women's participation in various programmes at local level.

3. Creation of social environment

A social environment conducive to promoting women's participation in policy decision-making is to be created, and improvement of women's ability and various activities are to be intensified in order to build the foundation for such a social environment.

4. Carrying out of surveys and research

As a result of the above-mentioned activities, the ratio of women to the total number of members of governmental advisory councils increased from 2.4 percent in 1975 to 5.8 percent in 1986, although the achievement was less than the target of 10 percent.

In 1975, there were 12 job categories for which women were not allowed to take the National Public Service Entrance Examinations (Regular Service). These restrictions have, however, been removed steadily and only one job category now has such restrictions. The number of women national public employees in managerial positions has also increased.

Article 2

(e)

As noted above, the Equal Employment Opportunity Law was enacted to eliminate discriminatory acts by employers. Certain acts of discrimination committed by private persons are deemed null and void if such acts are in violation of the provisions of Article 90 of the Civil Code.

Article 90 of the Civil Code provides that:

"A juristic act which has for its object matters such as are contrary to public policy or good morals is null and void."

Article 2

(f)

Japan has the provision of Article 14 of the Constitution and equality of men and women is a basis of its domestic laws. No law the purpose of which is to discriminate against women exists in this country. It is, however, true that some laws containing provisions for the different treatment of men and women, whose purpose was originally the protection of women, have subsequently acquired the effect of discriminating against women.

Japan, therefore, took necessary steps when preparing for ratifying the Convention. For instance, the Nationality Law was amended and protective legal provisions for women were reviewed.

In addition, efforts are being made through a variety of educational and enlightenment activities to eliminate customs and practices which constitute discrimination against women.

Article 2

(g)

Japan's Penal Code contains no provisions which constitute discrimination against women.

Article 3

In Japan, projects for life-long education, projects for promoting ability development and public information activities are carried out to ensure the full development and enhancement of women's ability.

(1) Improvement of life-long education

(a) Facilities for women's education[3)]

In July 1977, the National Women's Education Centre was established to ensure the promotion of women's education. The purpose of the Centre is to provide leaders in women's education and others involved in women's education with practical training and to carry out

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3) Women's education: educational activities for women within the framework of "social education".

specialized research and studies on women's education. As Japan's only national facility for women's education, the Centre complements at the national level the functions of public and private women's education centres, particularly through the implementation of international exchange and information services. The Centre began its activities in October 1977, and had been used by about 13,000 groups and a total of 874,000 persons as of March 1986.

In addition to the Centre mentioned above, there were 108 public and private women's education centres as of April 1986, of which 56 were public and 52 private. These centres organize a variety of study meetings and courses on women's education and provide counselling services. They also serve as a place for social occasions and other activities for women's organizations. Since fiscal 1978[4], the government has been providing assistance for the improvement of public women's education centres.

(b) Women's Classes

Women's Classes are projects undertaken by municipalities to give women learning opportunities related to problems of everyday life and other problems facing women in a systematic, continuous way in a group setting. In fiscal 1985, there were about 32,000 such

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4) The Japanese fiscal year begins on April 1, ending on March 31 of the next calendar year.

Classes all over Japan, with some 1,420,000 women attending them. The government provides assistance for these Classes, and in fiscal 1985 began to encourage the creation of Study Courses for Women's Issues (seminars for women to study women's issues with a view to eradicating stereotyped concepts of male and female roles) and in fiscal 1986 Preparatory Seminars for Women's Working-life (seminars for women who wish to return to work, chiefly women who have finished bringing up their children, in which women learn how to make a career and family life compatible with each other and acquire the basic knowledge and skills required in occupational life).

(c) Leadership training programmes for women

For the advancement of women's education, it is essential to secure an adequate supply of leaders and to upgrade their ability. To meet this need, leadership training programmes for women are carried out. There are two types of such training projects. One provides training to acquire the knowledge and skills needed to plan and implement educational activities for women and is intended for female leaders of women's education in the private sector. The other provides training in which female participants are sent to other prefectures to exchange experiences in women's education with others and for study and inspection tours. The government gives

assistance to these programmes, which are undertaken by the prefectures and the designated cities.

(d) Assistance to women's organizations

Women's organizations engage in various activities, in line with the purposes for which they were formed. The government gives subsidies covering part of the cost for projects undertaken by national-scale women's organizations whose activities are of social and public importance, while respecting the autonomy of these organizations.

(e) University of the Air

The University of the Air was founded to meet the needs of the life-long education era, utilizing a variety of mass media, particularly television and radio, effectively. The purpose of the University is to provide housewives and others with the opportunity to receive a university education and to provide those graduating from high school in the future a more flexible and readily available opportunity to obtain university education. The University also aims at helping to improve university education in Japan through the promotion of transfer of credits to and from conventional universities, increase in the exchange of instructors and extensive use of broadcasting facilities. In April 1985, it accepted 17,038 students for its first academic year, of whom 8,663 (50.8%) were women.

(f) University extension courses

It is very important to make the results of the universities' research and education activities available to the general public, including housewives. Efforts are, therefore, being made to expand university extension courses.

(2) Promotion of development of vocational ability

(a) Improvement of vocational training for women at public vocational training facilities

At public vocational training facilities, which are established by the central and prefectural governments, curricula and facilities are being improved in order to encourage more women to receive training. In those courses which attract many women participants, such as courses for clerical and service industry-related jobs, efforts are being made to enhance the content of curricula to keep pace with technological advances.

In 1979, the Women's Employment Assistance Centers began a wide range of guidance and counselling services on employment for women desiring to work. These Centers also organize classes on the skills needed in employment. Travelling expenses for attending these classes are subsidized in the case of mothers of fatherless families. As of the end of fiscal 1985, 197 Welfare Centers for Working Women existed in Japan, providing comprehensive welfare services for female workers. These Centers carry out ability-development projects, such as counselling,

guidance, training and lecture meetings, for women who want to return to work after bringing up their children.

(b) Encouragement of development of women's vocational ability by employers

The government provides employers, etc., with information and guidance so that efforts by employers to develop women's vocational ability will be made continuously through implementation of various education and training programmes. It also adopts measures, such as provision of subsidies for employers to cover part of the cost of their training activities for female employees and measures to improve the system for the provison of information and advice on the development of vocational ability. By means of these measures, the government endeavours to encourage employers to strengthen their vocational ability-development activities.

Article 4, Paragraph 1

The measures adopted in Japan relevant to this Paragraph include vocational guidance especially for women and efforts to increase employment opportunities for women. In accordance with the provisions of Articles 22 and 23 of the Equal Employment Opportunity Law, the organizations of the employment service disseminate employment information and the results of surveys and studies on work, providing appropriate vocational guidance based on those results so as to enable women to choose jobs suited to their aptitudes, ability, experience and

skills and to facilitate their adaptation to their jobs. The central and prefectural governments and the Employment Promotion Corporation organize enlightenment and publicity activities related to the development and improvement of vocational ability for women workers and others concerned for the purpose of enhancing such ability of working women and ensuring equal opportunities for them. They also endeavour to improve vocational training facilities.

Mothers of fatherless families, for example, women who have lost their husbands owing to accidents and have children who are minors and other dependents to support and widows (here 'widow' means one who no longer comes under the category of a mother of a fatherless family because, for example, her children are grown-up) who have to work to support their family often lack adequate vocational experience and technical skills. The following special measures are, therefore, adopted.

(1) Reinforcement of vocational counselling functions

Vocational counsellors for widows, etc., are stationed at Public Employment Security Offices to reinforce vocational counselling and guidance systems for mothers of fatherless families and widows.

In addition, travelling expense subsidies are provided for mothers of fatherless families and widows who take skill-training courses given at Women's Employment Assistance Centers.

(2) Improvement of vocational training systems[5)]

A training allowance is paid to mothers of fatherless families who take public vocational training courses or job adaptation training courses on the advice of Public Employment Security Offices.

(3) Expansion of employment assistance measures[5)]

Subsidies for employment-opportunity development for specific categories of job seekers are paid to employers who hire mothers of fatherless families on a continuous basis on referral by Public Employment Security Offices. A quarter (one-third in the case of smaller employers) of the monthly wages of each such employee are paid to the employer for one year. The cost of job-adaptation training is paid to employers who provide mothers of fatherless families with such training at the request of Public Employment Security Offices.

(4) Organization of public information and enlightenment activities

These activities are carried out to inform the public regarding employment assistance systems for mothers of fatherless families and widows and to obtain the understanding and cooperation of employers and the general public regarding their employment.

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5) Measures under (2) and (3) are implemented in accordance with the provisions of the Employment Measures Law and the Employment Insurance Law.

Many women return to the labour market after temporarily ceasing to work to have children and bring them up. In the light of this fact, the Equal Employment Opportunity Law includes provisions concerning assistance for re-entry into the labour market and reemployment systems for women workers.

Article 4, Paragraph 2

The importance of maternity is affirmed in the Preamble to the Convention and Article 5, and Articles 11 and 12 stipulate measures to be adopted for maternity protection. Article 4, Paragraph 2 also provides that adoption of special measures aimed at protecting maternity shall not be considered discriminatory. In view of the importance of maternity protection, Japan continues to endeavour to reinforce measures in this area, and the Labour Standards Law, the Mariners Law and the Rules of the National Personnel Authority and the other regulations contain stipulations on leave before and after childbirth, restrictions on assignment of expectant and nursing mothers to dangerous and hazardous work and transfer of pregnant women to lighter work. In addition, the Labour Standards Law, amended for ratification of the Convention, strengthens the measures to protect maternity. The period of leave before and after childbirth was extended, and stipulations prohibiting assignment of an expectant or nursing mother to overtime, holiday and midnight work, if the woman requests to be exempt from such work, were

added. The Mariners Law was amended to reinforce maternity protection, in view of the special character of maritime work. For instance, the periods of pre- and post-childbirth leave were extended and employment of expectant and nursing mothers in maritime work was prohibited in principle.

In addition to the measures described above, Chapter 3 of the Equal Employment Opportunity Law contains provisions intended to enable working women to protect their health during pregnancy and after childbirth. In accordance with these provisions, employers are required to make efforts to ensure that expectant and nursing mothers are able to take the time off needed to receive the health guidance, etc., provided under the Maternal and Child Health Law and to change their working hours and lighten their work load so that they may follow the health-care instructions. On the basis of these provisions, specific standards for guidance concerning such efforts and measures needed for health management during pregnancy and after childbirth were formulated.

To promote voluntary maternal health management in each business establishment, employers with 50 or more full-time female employees are encouraged to appoint maternal health management promotors. In 1974, medical advisors for maternal health began to be assigned to Prefectural Women's and Young Workers' Offices to ensure the improvement of counselling and guidance systems for maternal health management.

Article 5

(a)

The Constitution of Japan has the essential equality of men and women as one of its fundamental principles. To disseminate this idea and to eliminate prejudice based on stereotyped concepts of the roles of men and women, the government has undertaken enlightenment programmes through such public information activities as Women's Week, Equal Employment Opportunity Month and Human Rights Week.

(1) Women's Week

The Ministry of Labour designated the week beginning April 10 as Women's Week, commemorating April 10, 1946, the date of the House of Representatives election in which Japanese women first exercised the right to vote. Since the first Women's Week in 1949, the Ministry has implemented special activities for raising women's status in society during the Week, with a specific theme being chosen for each year. During the U.N. Decade for Women following the International Women's Year, enlightenment activities in accordance with "the National Plan of Action" and other programmes were organized.

The Women's Week themes in 1975 and thereafter were as follows: from 1975 to 1980, "Promotion of equality of men and women and women's participation in social activities", aiming at promoting equal rights and responsibilities of men and women and emphasizing women's contribution to economic, social and cultural development

and to progress for international friendship and peace, and from 1981 to 1984, "Joint participation of men and women in every field", with a view to encouraging men and women to participate jointly in every field on the basis of mutual understanding and cooperation in order to achieve social progress. For 1986, the theme was "Let's correct stereotyped ways of thinking about the ability and role of women". A wide range of activities, including lecture meetings, forums and seminars, were undertaken all over the country in cooperation with the government agencies concerned, women's organizations, labour and management organizations and the mass media.

(2) Equal Employment Opportunity Month

The Ministry of Labour designated June as Equal Employment Opportunity Month in 1986, the first year of enforcement of the Equal Employment Opportunity Law, to commemorate the promulgation of the Law on June 1, 1985. During the Month, special activities are carried out to increase the awareness and understanding of society in general, including workers and employers, regarding the need to guarantee equal opportunities and treatment in employment for men and women and to develop women's vocational ability and use it effectively. The purpose is to inform the people of the purposes and content of the Law and to encourage employers to review and improve their personnel management for women in line with the requirements of the Law. This is done through the following activities:

(a) Public information activities through the mass media, etc.

(b) Activities to make the content of the Law known to employers, employers' organizations, labour unions, etc., and to provide education, training and guidance for better personnel management for working women.

(c) Holding of national conferences for the promotion of equal employment opportunities.

(3) Human Rights Week

On December 10, 1948, the United Nations adopted the Universal Declaration of Human Rights. It named December 10 "Human Rights Day" and requested all members to hold events on that day each year to disseminate the human rights philosophy. The Ministry of Justice of Japan designated the week December 4-10 of each year as Human Rights Week, during which the Ministry, in collaboration with related agencies and organizations, strives to increase the nation's awareness of the importance of human rights consciousness.

The personnel of the Regional Legal Affairs Bureaus and District Legal Affairs Bureaus and the Civil Liberties Commissioners (there were 11,500 of the latter as of April 1, 1986) implement enlightenment and public information activities during Human Rights Week. In 1975 and thereafter, the theme "Let's raise women's status in society" has been one of the priorities of the Week.

Activities relating to women's issues include: (i) Holding of lecture meetings, roundtable talks and showing of films; (ii) Special human rights counselling services; (iii) Educational programmes on radio, television and cable broadcasting; (iv) Enlightenment by newspapers and magazines; (v) Enlightenment through the publications of local governments; (vi) Public information activities using posters, leaflets, pamphlets, etc.

(4) Holding of national conferences related to the World Conference for the United Nations Decade for Women

In 1980, the Headquarters for the Planning and Promoting of Policies Relating to Women held the Mid-Decade National Conference of the United Nations Decade for Women to make the achievements of the Mid-Decade World Conference of the United Nations Decade for Women better known to the nation and to discuss the themes to be taken up in the second half of the Decade. In 1984 and 1985, before and after the World Conference of the United Nations Decade for Women in Nairobi, it also organized two conferences: the National Conference for the Forthcoming World Conference of the United Nations Decade for Women and the National Conference toward the Year 2000 - Last Year of the United Nations Decade for Women. The purpose of the former was to build up momentum for the World Conference, that of the latter being dissemination of the results of the World Conference and attainment of a long-range outlook for activities up to the year 2000.

(5) Holding of regional meetings for the promotion of policies relating to women

Since 1979, the Headquarters for the Planning and Promoting of Policies Relating to Women has held three regional meetings each year, in different locations, for the promotion of policies relating to women for women in general and local government employees in charge of women's issues. The aim of these regional meetings has been to promote further implementation of the National Plan of Action at local level.

(6) Other public information activities

Since 1975, when the Headquarters was inaugurated, it has carried out public information activities concerning policies for women through its reports on "the National Plan of Action", the publication of the bimonthly "News of the Headquarters for the Planning and Promoting of Policies Relating to Women" and the use of the various media such as television, radio, newspapers and weekly magazines.

Problems relating to women and topics of the United Nations Decade for Women were included in television and radio programmes sponsored by the government, including the serial programme "Women Now". "The Photo", "Current Trends", other government periodicals and also the general media, including newspapers, monthly and weekly magazines, were also used to publicize policies relating to women and women's problems.

Article 5

(b)

The requirements of this item are fulfilled by the organization of Parent Education Classes, establishment of Maternal and Child Health Centres and other activities for enlightenment, such as the campaigns conducted during Women's Week (especially from 1981 to 1985) described above.

(1) Parent Education Classes

Parent Education Classes are projects to provide parents and those interested in home education (or education and training at home) with the opportunity to learn about home education for a certain period of time in a systematic and continuous manner and in a group setting. They are instituted by municipalities, receiving national government assistance. Parent Education Classes are of various types. Some are mainly for parents who have children of school age, while classes focussing on infant care are organized for those who have babies and infants. Classes for Prospective Parents are conducted for newly married couples and pregnant women and their husbands. In recent years, the number of working mothers has been increasing, with the result that the number of dual-income families is growing and the problem of reconciling child-rearing and working is becoming more serious. In view of this, in fiscal 1986 the government began to encourage the organization of Classes for Working Parents for parents of dual-income families.

(2) Preparation of parent education handbooks

In 1985, the Ministry of Education prepared a parent education handbook entitled Today's Home Education for Babies and Infants. The purpose of this handbook is to help people to grasp the issues and points that are important in home education in an environment where economic and social developments are changing the situation of women and families and, especially, at providing those engaged in planning and implementing Parent Education Classes, etc., with reference materials. It emphasizes the role of the father in home education and the need for equal education at home to be given to both boys and girls. For instance, it points out the importance of sharing housekeeping and child care between the husband and wife as their joint responsibility in the dual-income family, which is rapidly becoming more common in Japan. In this way, the handbook stresses, the work of both parents will be perceived positively by the children. It also covers what child care should be like in a society in which the roles of men and women are changing as a result of economic and social developments and changes in the life cycle.

This handbook is available commercially, and has been contributing to the diffusion of the aims of this Article. The Ministry of Education is now preparing to publish Today's Home Education for Elementary School Children (Lower and Middle Grades).

(3) Maternal and Child Health Centres

Maternal and Child Health Centres have been established, with the principal purpose of improving and promoting the health of mothers and children in farming and forestry communities, where medical facilities were few. By means of these Centres, municipal governments provide guidance on health and nutrition for pregnant women and infants and on birth control and also midwifery services. There are two types: those having both midwifery and health guidance sections and those with a health guidance section only. The health guidance section conducts a variety of health examinations for mothers and expectant mothers, counselling and guidance services and maternal and child health education, thus playing a important role in maternity protection at the municipality level.

(4) Health education for expectant and nursing mothers

Guidance projects are carried out at municipality level to provide expectant and nursing mothers with appropriate health guidance. Among such projects, are group guidance in the form of classes for pre-marriage and newly married women and mothers and individual guidance given by visiting public health nurses.

(5) Education for healthy maternity

This is a project at prefectural level for teenagers and young men and women, in which both individual counselling and classes are conducted. This project aims

at providing young people with counselling on sex problems and other health matters and at propagating knowledge of maternity protection, thereby promoting maternal health.

Article 6

(1) In 1958, Japan became a party to the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, which has the same purpose as this Article.

(2) At the same time as Japan adhered to the above Convention, the Prostitution Prevention Law entered into force. This Law was amended in 1962, 1983 and 1985.

The following is an outline of the Law:

a. The Law declares that prostitution impairs human dignity, is contrary to sexual morality and corrupts the morals of society and emphasizes the illegal and anti-social character of prostitution.

b. The purpose of the Law is the prevention of prostitution. The Law does not, however, seek to attain this purpose by controlling acts of prostitution themselves (hereinafter referred to as "simple prostitution") by means of penalties. Instead, it provides for penalties for a variety of acts promoting prostitution and acts related to simple prostitution which are visible to the public and may offend third parties, such as acts of inducing people in public to become a customer.

c. The Law prohibits simple prostitution and becoming a customer of a prostitute by providing that no person shall engage in prostitution or become a customer of a prostitute. However, it contains no penal provisions for those violating these prohibitions.

d. The Law also provides for guidance and measures for the protection and rehabilitation of women who it is believed are likely resort to prostitution because of character or circumstances.

(3) In addition to the above measures, the Entertainment Establishments Control Law was amended in February 1985 with a view to controlling commercial activities liable to be linked with prostitution. The amended law was renamed the Law Concerning the Control, Proper Operation, etc., of Entertainment Establishments, and came into force in February 1985. In addition, activities designed to improve the social environment in matters related to sex are organized in the form of sex education and enlightenment and public information activities for the prevention of prostitution.

Article 7

This Article was drafted in the light of the Convention on the Political Rights of Women. The Convention requires States Parties to adopt appropriate measures to assure women the right to vote, eligibility for election, the right to hold public office and other political rights, with the object of eliminating

discrimination against women in participation in domestic political and public activities. Japan ratified this Convention in 1955.

Article 7

(a)

In Japan, the right to vote is guaranteed equally to men and women by the Constitution, etc., as is eligibility for all public offices, including membership of the Diet and of the local assemblies and the posts of chief executive officers of local governments.

Article 15 of the Constitution guarantees the people's right to choose their public officials and universal suffrage. Article 44 specifically stipulates equal rights regarding election of the members of both Houses of the Diet. The object of these Articles of the Constitution is reflected in Article 9 of the Public Offices Election Law and on Articles 11 and 18 of the Local Autonomy Law.

With regard to voter turnout rate, in both national and local elections, the rate for women has generally been higher than that for men since the second half of the 1960s, especially since the election for the House of Councilors held in July 1968. However, the number of women availing themselves of the right to stand for election or being elected is still small. The number of women members of the Diet was 29 (3.8 percent) as of July 1986, while that for women members of local assemblies was 1,078 (1.6 percent) as of December 1984.

Article 7

(b)

Discrimination on the grounds of sex with regard to the holding of public office is prohibited by Articles 27 and 46 of the National Public Service Law (for national public employees in the Regular Service) and by Articles 13 and 19 of the Local Public Service Law (for local public employees in the Regular Service).

In 1975, there were 12 job categories for which women were not allowed to take the National Public Service Entrance Examinations (Regular Service). Air Traffic Controller, National Tax Specialist, Imperial Guard and eight other job categories have since been opened to women. At present, only one job category has such restrictions.

This job category, which mainly involves postal service work inside post offices, with irregular patterns of work such as night duty and shift work, but is not exempted from the application of the existing law prohibiting women's night work.

With regard to special service of the national public services, until 1984, women were not eligible to take the entrance examination of the National Defense Medical College. The College began to accept women applicants in 1984. The scope of activities open to women in the Self-Defense Forces has been expanded steadily. The Defense Agency intends to employ actively women members of the Self-Defense Forces in the years ahead.

Article 7

(c)

Article 21 of the Constitution guarantees freedom of association equally to men and women.

Article 8

"The National Plan of Action" approved in 1977 by the Headquarters for the Planning and Promoting of Policies Relating to Women on the basis of the World Plan of Action, adopted in 1975, calls for the promotion of women's participation in policy decision-making in international affairs. In line with this, efforts are being made to promote Japanese women's participation in international conferences and posts in the United Nations and its specialized agencies and other international bodies.

(1) Promotion of women's participation in international conferences

In Japan, the members of government delegations to international conferences are chosen from among the men and women who are best qualified in the light of the nature of the conference and other factors. Since 1958, women not in the government service have regularly been dispatched to the Third Committee of the United Nations General Assembly in the capacity of Representative, Alternate Representative or Adviser. The number of women public officials and women occupying public service managerial posts increased during the United Nations Decade for Women and, partly as a consequence of this, the number of women members of government delegations to international conferences has been increasing.

Participation by Japanese women in major U.N. Conferences since 1975 as Representative or Alternate Representative

General Assembly of the United Nations
(Representative, Alternate Representative)

Special Session of the General Assembly Devoted to Disarmament
(Representative)

Economic and Social Council of the United Nations
(Alternate Representative)

United Nations Economic Social Commission for Asia and the Pacific
(Head of Delegation, Alternate Representative)

United Nations Conference on the Law of the Sea
(Alternate Representative)

United Nations Commission on Human Rights
(Representative, Alternate Representative)

United Nations Commission on Transnational Corporations
(Representative)

United Nations Commission on the Status of Women
(Representative, Alternate Representative)

United Nations Conference on an International Code of Conduct on the Transfer of Technology
(Alternate Representative)

World Assembly on Aging
(Representative)

International Conference on Population
(Alternate Representative)

World Women's Conference
(Head of Delegation, Representative, Alternate Representative)

General Conference of the International Labour Organization
(Alternate Representative)

General Conference of the United Nations Educational, Scientific and Cultural Organization (Representative)

Universal Postal Congress (Alternate Representative)

Executive Board of United Nations Children's Fund (Representative)

(2) Promotion of women's participation in international organizations

In 1974, the Ministry of Foreign Affairs established the Recruitment Center for International Organizations within its United Nations Bureau. This Center collects data on vacancies in international organizations, publicizes such vacancies and encourages applications, providing applicants with advice. It places special emphasis on encouraging applications by women for posts in international organizations.

The Ministry of Foreign Affairs also provides the opportunity for on-the-job training in international organizations for young people who hope to work as international public officials in the future. The participants are known as "associate experts" and work for international bodies as members of their staffs for a certain period of time, the Ministry serving as sponsor. Each year, the Ministry selects and dispatches such associate experts for international assignments. As of April 1986, a total of 86 experts were dispatched to such posts, 34 of whom were women. After the expiry of their

term of office, most of them are retained by the organization as regular employees. To help to increase the number of Japanese women working for international organizations, the Ministry endeavours to make maximum use of this system to send outstanding and well-qualified young women to international posts.

Japanese women's participation in the service of the United Nations and the specialized agencies

(as of the end of Dec. 1985)

Organization	Number of Japanese staff (1)	Number of Japanese female Staff (2)	(2) as a percentage of (1)
The Secretariat of the United Nations (UN)	80	21	26.3
United Nations Conference on Trade and Development (UNCTAD)	10	2	20.0
United Nations Development Programme (UNDP)	36	16	44.4
United Nations Fund for Population Activities (UNFPA)	7	4	57.1
United Nations Environment Programme (UNEP)	7	3	42.9
United Nations High Commissioner for Refugees (UNHCR)	21	7	33.3
United Nations Children's Fund (UNICEF)	28	14	50.0

United Nations Industrial Development Organization (UNIDO)	19	1	5.3
United Nations University (UNU)	11	3	27.3
Economic and Social Commission for Asia and the Pacific (ESCAP)	34	6	17.6
International Labour Organization (ILO)	31	6	19.4
Food and Agriculture Organization of the United Nations (FAO)	40	4	10.0
UN/FAO World Food Programme (WFP)	4	1	23.0
United Nations Educational, Scientific, and Cultural Organization (UNESCO)	25	8	32.0
World Health Organization (WHO)	37	4	10.8
International Civil Aviation Organization (ICAO)	4	1	25.0

Article 9

Before its amendment, the Nationality Law of Japan adopted the principle of patrilineal descent in determining nationality by right of birth. In addition,

it had differential treatment depending on sex when the spouse of a Japanese citizen wanted to be naturalized. These two points were studied prior to ratification of the Convention, and the Law was amended as follows in the 101st session of the Diet in 1984:

(1) Requirements for naturalization

Under the former Nationality Law, to be eligible for naturalization, a foreigner was required to have resided continuously in Japan for the preceding five years. In the case of the alien husband of a Japanese citizen, the residence requirement was shortened to three years, while the alien wife of a Japanese citizen was exempt from any such requirement. Under the new law, an alien, regardless of sex, who is the spouse of a Japanese citizen, is to meet the same requirements for naturalisation: an alien is required to have lived in Japan for at least three years before he or she can be naturalized, although, if the marriage has been in existence for three years or more, the period of residence may be reduced to a minimum of one year.

(2) Adoption of the principle of patrilineal and matrilineal descent

In the past, a child could acquire Japanese nationality only if his or her father was a Japanese citizen at his or her birth. Since amendment, the child born of a marriage acquires Japanese nationality if either father or mother is a Japanese citizen at the time of the

child's birth. As a result, a child born of the marriage of a male alien and a woman who is a Japanese national, who would not have had Japanese nationality under the former Nationality Law, now acquires it.

Article 10

(a) - (h)

(1) Article 26 of the Constitution stipulates the people's right to receive education and the obligation to have all boys and girls in their care receive ordinary education. To lay the foundation for education in Japan, the Fundamental Law of Education was enacted in accordance with the spirit of the Constitution.

In line with the Fundamental Law of Education, several laws relating to education have been enacted, among them the School Education Law and the Social Education Law. Basic matters relating to school education are provided for in the School Education Law.

Institutions for school education include elementary, lower secondary (both compulsory: six and three years, respectively) and upper secondary schools (three or four years) providing elementary and secondary education, as well as universities, junior colleges, colleges of technology and graduate schools providing higher education. In addition to these institutions, special training schools play an important role in upper secondary and higher education as educational institutions with the

purpose of developing the abilities and skills needed in career or daily life. The above is an outline of the school education system in Japan.

Article 3 of the Fundamental Law of Education provides for equal opportunity to receive education as follows: "The people shall all be given equal opportunities of receiving education according to their ability and they shall not be subject to educational discrimination on account of race, creed, sex, social status, economic position or family origin." On the basis of this provision, the School Education Law and its enforcement regulations guarantee equal opportunity for men and women to receive education and obtain qualifications. Men and women are also given equal opportunity as to access to scholarships and other assistance related to schooling.

(2) Equality of men and women in school education has been promoted within the legal framework outlined above. In consideration of the historical and traditional background of the role women had played, however, somewhat different treatment in education existed for girls.

These differences were corrected prior to ratification of the Convention as follows:

(a) In the past, national institutions (universities and colleges of technology) related to the merchant marine did not accept female applicants. In 1980, the Tokyo

Mercantile Marine University began to accept female applicants, the Kobe University of Mercantile Marine following suit in 1982.

In 1985, five colleges of maritime technology similarly opened their doors to girls.

(b) There had existed some treatment not in keeping with the provisions of Item (b) of this Article regarding to "access to the same curricula, etc." Efforts are now being made to rectify such a situation.

The basic principles for preparing the standards for curricula are laid down in the School Education Law. On the basis of these principles, the Enforcement Regulations of the School Education Law and Courses of Study (notification issued by the Minister of Education) have been drawn up.

In accordance with the principle of equality of men and women, the Courses of Study make exactly the same provision for boys and girls, with one exception. Differences exist in the homemaking courses. In upper secondary schools, general home economics is compulsory for girl students but not for boys. In lower secondary schools, there are differences regarding industrial arts and homemaking for boys and girls (industrial arts being given priority for boys, whereas homemaking has greater importance for girls).

Such differing treatment is not consistent with the Convention. Examination was carried out with a view to eliminating the differences. At the end of 1984, the Expert Meeting on Homemaking Education of the Ministry of Education presented its report. This report concluded that the differing treatment in homemaking curricula should be corrected.

The Ministry of Education decided to adopt measures reflecting the conclusion of this report in the next revision of the standards for curricula following the deliberations now under way in the Curriculum Council. In a few years, therefore, differences in treatment of male and female pupils in the present Courses of Study will have been corrected and fully equal opportunity in curricula for boys and girls will be attained.

(3) As described above, there are a few matters requiring rectification in school education in Japan. However, both Japanese boys and girls enjoy access to a very high level of education.

Boys and girls receiving compulsory education in elementary and lower secondary schools now account for 99.99 percent of those in the relevant age-groups. This figure is one of the highest in the world.

In March 1986, the percentages for those entering upper secondary schools on completing lower secondary schools were 95.3 percent for girls and 93.1 percent for boys, the figure for girls being higher than that for boys.

In 1986, the percentages going on to university or junior college were 33.5 percent for girls and 35.9 percent for boys, indicating that more boys than girls receive higher education. However, the gap in these figures has gradually been closing: the ratios were 32.4 percent for girls and 43.0 percent for boys in 1975, and 33.3 percent and 41.3 percent in 1980.

(4) Expansion of opportunities for social education is important for the development of women's ability and to meet women's various learning needs. In Japan, such education is provided in accordance with the Social Education Law.

A variety of social education opportunities are available, including learning activities organized at facilities for women's education, such as the National Women's Education Centre, and citizen's public halls, as well as university extension courses. In April 1983, the University of the Air was created as a new life-long education system utilizing television and radio broadcasting effectively to offer university education. The University began to accept students in April 1985, getting off to a good start. (See section on Article 3.)

(5) In Japan, "the Priority Targets for the Second Half of the Period Covered by 'the National Plan of Action' for the Promotion of Measures Relating to Women" were formulated to incorporate in domestic policies

the Programme of Action for the Second Half of the United Nations Decade for Women, adopted at the Mid-Decacde World Conference of the United Nations Decade for Women. "The Priority Targets" expressly state the need to improve opportunities for life-long education and training. The policy of eliminating stereotyped concepts of the roles of men and women, which is required by Article 10 (c) of the Convention, is reflected in the Courses of Study.

The Courses of Study provide, for instance, that the homemaking curricula in elementary schools should enable pupils to understand the position and role of each member of the family and encourage them to consider the tasks in which they can share, cooperating with their parents and playing their part in the family. It also stipulates that social studies and moral education in lower secondary schools, social studies in high schools and homeroom hours should help students to understand the characteristics of men and women and the way in which men and women should live in society, seen in the twin perspectives of the equality of men and women and respect for individual lifestyles.

Opportunities to consider how men and women should live in society are also provided in the field of social education. For example, there are projects held at facilities for women's education and Study Courses for Women's Issues organized by municipalities with government assistance.

(6) This Article also covers the problem of discrimination in vocational training. In Japan, the Vocational Ability Development Promotion Law is the fundamental law related to this matter.

The public vocational training schools, vocational training junior colleges, skill-development centres and vocational training schools for the physically handicapped, which are established on the basis of this law by the national government, prefectures or municipalities, are together termed public vocational training facilities. The qualifications for admission to these institutions are the same for men and women.

In addition, as already noted in the section on Article 4, special measures are adopted for the mothers of fatherless families and widows. For instance, vocational counsellors are appointed to help such women, and training allowances are paid to mothers of fatherless families receiving public vocational training on the advice of Public Employment Security Offices.

With regard to vocational training provided by private business establishments, Article 9 of the Equal Employment Opportunity Law prohibits discrimination against women in such vocational training. (See section on Article 11 below.)

Article 11, Paragraph 1. (a) - (d), (f)

(1) In Japan, equality of men and women in employment is stipulated in the National Public Service Law (for

national public employees) and in the Local Public Service Law (for local public employees). However, with regard to employees in the private sector, until 1985 no legal framework existed ensuring equal opportunity in employment for women with regard to recruitment, hiring, assignment, promotion and other areas of personnel management, while the Labour Standards Law contained stipulations prohibiting discrimination against women in wages (as did the Mariners Law).

Japan, therefore, implemented legislative adjustments as part of the preparations for the ratification of the Convention, with a view to promoting equal opportunities and treatment in employment for men and women. Laws adjusting the legal system in these areas were passed in the 102nd session of the Diet in May 1985.

This work consisted principally of substantial amendment of the Working Women's Welfare Law (Law No. 113 of 1972) giving a new law, the Law Concerning the Promotion of Equal Opportunity and Treatment between Men and Women in Employment and Other Welfare Measures for Women Workers (known as the Equal Employment Opportunity Law) and amendment of certain provisions of the Labour Standards Law.

The Equal Employment Opportunity Law provides for the responsibility of employers to ensure equal opportunity and treatment for male and female employees in personnel

management, from recruitment and hiring to mandatory retirement and dismissal. The Law sets equal treatment in recruitment, hiring, assignment and promotion as goals to be attained at the earliest possible time and prohibits discrimination against women in vocational training, fringe benefits, mandatory retirement age, retirement and dismissal. In addition, it provides new measures for the settlement of labour-management disputes, such as advice, guidance and recommendations by the Directors of the Prefectural Women's and Young Workers' Offices and mediation by the Equal Opportunity Mediation Commissions. The Equal Opportunity Mediation Commissions are administrative organs newly established within the Prefectural Women's and Young Workers' Offices as it was considered desirable to have mediation by a third-party body to ensure neutrality and impartiality. The function of these Commissions is to endeavour to resolve disputes easily and quickly.

In order to ensure the effectiveness of the Law, with regard to the matters which employers have the obligation to make efforts to attain the goals as soon as possible, guidelines were prepared to give employers goals in concrete terms. The guidelines, drawn up in late January 1986, call on employers to eliminate exclusion of women from recruitment or hiring as well as the setting of conditions for recruitment or hiring which are disadvantageous to women.

The guidelines do not, however, apply to certain jobs, for example, actor, model and other occupations whose nature precludes its application and those jobs with regard to which provisions of the Labour Standards Law make it difficult to provide for equal treatment for women.

The amendment of the Labour Standards Law has resulted in the abolition or reduction of protective measures for women, with the exception of maternity protection measures. For example, restrictions on the employment of women on overtime, holiday and midnight work have been abolished for certain categories of supervisory and management posts and those engaged in specialized technical work. This is to eliminate discrimination against women, to make full use of women's ability, to expand the range of occupations open to women and to promote equal opportunity and treatment for men and women.

Measures to protect maternity have also been reinforced. To ensure the health of women and to help the next generation to grow up sound, the period of pre- and post-childbirth leave was extended and expectant and nursing mothers now have the right to insist on exemption from overtime, holiday and midnight work.

The Equal Employment Opportunity Law and the amended Labour Standards Law came into force on April 1, 1986. To help to make the purpose and the content of the Laws known to the nation, the Ministry of Labour designated June as

Equal Employment Opportunity Month and is striving to disseminate the idea of equal opportunity in employment among the people at large.

Similar action was taken with regard to the Mariners Law and the Rules of the National Personnel Authority which lay down the labour standards for seamen and national public employees, respectively. While the maternity protection measures of this Law and these Rules were reinforced, other protective stipulations for women were reexamined (with regard to seamen, guidelines were drawn up in March 1986).

(2) With regard to wages, Article 4 of the Labour Standards Law and Article 6 of the Mariners Law already had provisions prohibiting discrimination on the grounds of sex. In 1967, Japan also ratified the Convention Concerning Equal Remuneration for Men and Women Workers for Work of Equal Value (ILO Convention No. 100).

Article 11, Paragraph 1. (e)

Social security systems in Japan include pension insurance under the Welfare Annuity Insurance Law and National Pension Law, employee's insurance under the Employee's Insurance Law and medical and labour accident insurance under the Health Insurance Law, the National Health Insurance Law, the Workmen's Accident Conpensation Insurance Law and the Mariner's Insurance Law. These systems apply equally to men and women and there is no discrimination against women.

There are some difference in treatment of men and women in the social security systems. In all such cases, the treatment accorded to women is more generous than that for men. This reflects the realities of the actual situation, in which women face with more problems in life than men as a result of the actual situation of employment, etc., and no negative discriminatory effect of such differing treatment has been observed.

Article 11, Paragraph 2, (a), (b), (d)

(1) Special measures to protect maternity are important not only for the health of working women but for the sound growth of the next generation as well. Japan has adopted a variety of measures for this purpose, such as restrictions on the employment of expectant and nursing mothers in dangerous and hazardous work. Before ratification of the Convention, these measures were further reinforced.

The Equal Employment Opportunity Law has provisions prohibiting dismissal of women employees because of pregnancy or of taking maternity leave. The Labour Standards Law was amended with a view to expanding these important maternity protection measures. Pre-childbirth leave was increased from six weeks to ten weeks in the event of multiple pregnancy and post-childbirth leave from six weeks to eight weeks (mandatory leave for post-childbirth women was increased from five to six weeks).

The Rules of the National Personnel Authority were similarly amended (in these Rules, pre-childbirth leave for multiple pregnancy had already been increased to 10 weeks in 1974). The Mariners Law was also amended, pre-childbirth leave being increased from six weeks to the period of pregnancy and post-childbirth leave to eight weeks (of which six weeks are mandatory leave).

At the same time as maternity leave was extended, the Health Insurance Law and Mariner's Insurance Law were revised to increase the period of paid maternity leave.

Article 11, Paragraph 2, (c)

In Japan, government subsidies are given under the Child Welfare Law to prefectures, municipalities and private organizations building, enlarging or rebuilding child-care facilities. Under the Children's Allowance Law, such subsidies are also given to employers improving their own child-care facilities. The Employment Promotion Corporation provides loans for projects involving the building of day-care and similar facilities. Efforts are being made to create and improve a network of child-care facilities by means of these measures.

The demand for child-care facilities is increasing as more and more married women begin working, working women continue to work for longer and the composition of

families is changing, with a notable increase in the number of nuclear families. As a result of positive endeavours to build and enlarge day nurseries, the number of such facilities increased from 18,009 (capacity: 1,676,720 children) as of April 1975 to 22,881 (2,115,491 children) as of April 1984. In terms of numbers, it is considered that such facilities have reached a level that is about adequate nationally.

In the years ahead, there will be a need to improve child-care facilities, chiefly in areas where the population is growing rapidly, and to correct uneven distribution of such facilities. It will also be necessary to shift the emphasis from quantitative to qualitative improvement and to make positive efforts to meet increasingly diversified child-care needs, such as by making child-care available for more hours each day.

As the number of working married women is increasing, there has arisen the need for child-care leave, during which such women can take leave in order to care for their children for a certain period of time without losing the right to return to their jobs. The Equal Employment Opportunity Law stipulates that employers shall make every effort to establish a system of child-care leave in their organizations.

Article 12, Paragraph 1

In Japan, there is no discrimination against women in the area of health care. Equal medical benefits and cash payments are available to both men and women, in accordance with such laws as the Health Insurance Law, the National Public Servants Mutual Aid Association Law and the National Health Insurance Law.

Article 12, Paragraph 2

(1) Services relating to pregnancy, childbirth and the post-partum period provided in Japan include the following:

(a) Maternity, childbirth and spouse's childbirth allowances (the latter in the case of the wife of an insuree), paid out of social insurance funds, in accordance with the provisions of the Health Insurance Law, etc.;

(b) Health guidance, health examinations and other services provided in accordance with the Maternal and Child Health Law;

(c) Measures relating to health management for working women during pregnancy and after childbirth in accordance with the Equal Employment Opportunity Law.

(2) With regard to "adequate nutrition during pregnancy and lactation", municipalities provide expectant and nursing mothers with assistance necessary to ensure adequate nutrition, in accordance with the Maternal and Child Health Law.

Article 13

(1) In Japan, the child allowance comes under the category of "family benefits". The criteria for determining eligibility to receive this allowance, as provided for in the Children's Allowance Law, are 1) whether the child is in the person's care, 2) whether the child is in the same household, 3) income level, with no difference made on the grounds of sex. Nor is there any discriminatory treatment for women in other social security fields.

(2) No discrimination on the grounds of sex exists in the Japanese legal system as to the "right to financial credit". The collateral requirements for bank loans, for example, are the same for men and women.

There is no difference between men and women in the legal system with regard to the right to participate in cultural life.

In Japan, many public facilities, such as national and public libraries and various public halls, provide opportunities for cultural activities. In recent years, what are known as "culture centres", providing a wide variety of cultural classes, have been created in cities and towns across the country on a private commercial basis. Behind this new movement is the positive desire of women to participate in cultural activities. The number of women participating in these activities is actually greater than that of men.

Article 14

(1) Stereotyped concepts of the roles of men and women still remain in agricultural, forestry and fishing villages in Japan. Efforts to improve this situation are continuing, along with efforts to promote the improvement of living conditions in these villages.

(a) Extension services[6] and education in agricultural management, techniques, etc.

Extension services and guidance on agricultural management and techniques are provided by the prefectural agriculture, forestry and fishery extension advisers for those engaged in farming, forestry and fisheries, including women, and for groups of such persons.

In agricultural extension projects, agricultural extension advisers offer guidance on agricultural management and techniques by means of visits to farms, lecture meetings and the provision of technical information. In addition, they provide those, including women, who will be the next farming generation with practical training at farmers' training and education facilities.

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6) The extension service is based on the Agricultural Improvement Extension Law and provides for the exchange of practical and profitable knowledge relating to the agricultural activities and living-condition of farmers.

(b) Improvement of living conditions in agricultural, forestry and fishing villages

To help to improve living conditions in agricultural, forestry and fishing villages, home advisers[7] in each prefecture provide extension services and guidance by means of visits to families, lecture meetings and provision of information on techniques for improving living conditions with regard to the following matters: establishment of life planning taking account of the farmer's life cycle and farm management plans; a healthy life-style and appropriate and efficient working plans; an expanded role for women and the aged and voluntary efforts to improve the living environment in farming villages.

(c) Promotion of a healthy life in farming villages

To ensure highly productive and sound farming operations, it is essential to ensure the maintenance and improvement of the health of those, including women, engaged in farm work. Home advisers provide guidance on health and other matters for those, including women, engaged in agriculture, the men and women who are sustaining and improving Japan's system of agricultural production.

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7) The home advisors belong to the agricultural improvement extension centers and have direct contact with the agricultural population and provide guidances for the extension of knowledge relating to rural living condition.

(d) Promotion of women's participation in community activities

In agricultural, forestry and fishing villages, there is a need to rectify practices based on traditional stereotyped role concepts for men and women, to ensure more accurate evaluation of the contribution made by women engaged in agriculture, forestry and fishery and to encourage those women to participate in community activities, thus giving them enhanced self-esteem, a greater sense of purpose and greater satisfaction. To attain these goals, liaison conferences for the promotion of measures to benefit women are organized to formulate measures to enhance people's awareness regarding women's roles and to improve women's status in the community. Opportunities for group learning are also provided and the development of women's voluntary study groups is encouraged.

(e) Organization of seminars for women engaged in farming

Between fiscal 1977 and fiscal 1984, seminars were organized in all of the 47 prefectures in Japan for women engaged in agriculture. Their purpose is to train women leaders who will play a leading role in the promotion of proper roles for female farm workers and to help form a sound basis for home life in agricultural villages.

(f) Rural Women's Houses

These are established for the promotion of exchange of views, group learning, farm products processing, health improvement and creative activities for women and the aged. They are also contributing to the training of leaders in improvement of living conditions, including women leaders.

(g) Special projects on the role of rural women

Farm Women's Forums, District Practical Courses for Farm Women, etc., are organized as approximately three-year projects. The aim of these projects, etc., is to find solutions to problems particular to farming families and farm villages and to help to develop the roles of women through the promotion of solutions to such problems. Since fiscal 1985, such projects have been conducted in all of 47 prefectures in Japan.

(2) With regard to the right to access to social security systems and community services, qualifications for participating in agricultural cooperatives as members or executives, the right to access to agricultural credit and loans, marketing facilities, appropriate skills and equal treatment in land and agrarian reforms, etc., Japanese men and women are treated equally.

Article 15. Paragraph 1

In Japan, equality under the law is guaranteed by the Constitution.

The Constitution of Japan

> Article 14. All of the people are equal under the law and there shall be no discrimination in political, economic or social relations because of race, creed, sex, social status or family origin.

Article 15. Paragraph 2

(1) Civil matters (including conclusion of contracts and administration of property) are dealt with in the Civil Code. This Code contains a clause defining the criteria for interpretation in these matters and equality of men and women is guaranteed by this clause.

The Civil Code of Japan

> Article 1-2. This Code shall be construed from the standpoint of the dignity of the individual and the essential equality of the sexes.

(2) Equality of men and women in proceedings in the courts is guaranteed by the Constitution.

The Constitution of Japan

> Article 32. No person shall be denied the right of access to the courts.

Article 15. Paragraph 3

Legal capacity is enjoyed equally by men and women, chiefly being provided for in the Civil Code. Any contract violating this stipulation is deemed null and void.

The Civil Code of Japan

Article 90. A juristic act which has for its object such matters as are contrary to public policy or good morals is null and void.

Article 15. Paragraph 4

The Constitution, the Civil Code and other laws accord to men and women the same rights relating to the matters stipulated in this Paragraph.

The Constitution of Japan

Article 22. Every person shall have freedom to choose and change his residence and to choose his occupation to the extent that it does not interfere with the public welfare.

Freedom of all persons to move to a foreign country and to divest themselves of their nationality shall be inviolate.

Article 24. Marriage shall be based only on the mutual consent of both sexes and it shall be maintained through mutual cooperation with the equal rights of husband and wife as a basis.

With regard to choice of spouse, property rights, inheritance, choice of domicile, divorce and other matters pertaining to marriage and the family, laws shall be enacted from the standpoint of individual dignity and the essential equality of the sexes.

The Civil Code of Japan

Article 752. Husband and wife shall cohabitate and shall cooperate with and aid each other.

Article 16

(1) Article 24 of the Constitution of Japan affirms the dignity of the individual and the essential equality of men and women in family life.

The Constitution of Japan

> Article 24. Marriage shall be based only on the mutual consent of both sexes and it shall be maintained through mutual cooperation with the equal rights of husband and wife as a basis.
>
> With regard to choice of spouse, property rights, inheritance, choice of domicile, divorce and other matters pertaining to marriage and the family, laws shall be enacted from the standpoint of individual dignity and the essential equality of the sexes.

(2) With regard to equality of men and women in marriage and family relations, required by Article 16 of the Convention, a number of laws and regulations with the Civil Code as the central instrument ensure compliance with the above-mentioned provisions of the Constitution.

With regard to marriage, the legal stipulations are the same for both men and women, with the exception of certain matters, such as the minimum age for marriage. Article 731 of the Civil Code establishes a minimum age for marriage: 18 years of age for men and 16 years of age for women. The difference exists because of the different rate of physical growth of men and women, and in no way reflects concepts of male and female roles. This Article does not impose greater restrictions on women than on men with regard to the right to marry. Article 733 of the Civil Code provides for a period (six months) during which remarriage is not permitted for women only, the purpose being to prevent confusion with regard to paternity and to protect the welfare of children. The question of whether these provisions of the Civil Code are necessary and

appropriate will be studied when the Code is reviewed with a view to improvement in the future. With regard to rights during marriage and at its dissolution, also, the legal provisions are the same for men and women.

With regard to rights as parents, adoption of children, guardianship and other related matters, the Civil Code treats men and women equally, with the prime consideration being that of giving paramount importance to the fundamental interests of the children.

(3) In Japan, as means to enable men and women to exercise the same rights with regard to deciding the number and spacing of their children, a variety of services, including pre-marriage classes and special extension projects for family planning, are provided, in accordance with the Health Center Law, the Maternal and Child Health Law and other laws.

(4) Concerning the choice of family name, which is specified in the Convention as a matter relating to equal individual rights for husband and wife, Article 750 of the Civil Code treats men and women equally by providing that "Husband and wife assume the surname of the husband or wife in accordance with the agreement made at the time of marriage."

Before amendment, Article 767 of the Civil Code, stipulated that upon divorce, the spouse who had changed his or her family name upon marriage was to revert to

the original family name. In practice, 98 percent of women took their husband's family name upon marriage. On the occasion of the International Women's Year in 1975 and in consideration of increasing participation of women in the labour market and other social activities outside the home, a new provision was added to the Article in 1976, with the result that a spouse who divorces may now continue to use the family name used during the marriage, by notifying the authorities of this intention within three months of the divorce, as required by the Family Registration Law. In 1983, about 30 percent of those who obtained divorces registered their intention to continue to use the family name used during the marriage.